

# SENATE BILL NO. 700

## 103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR MOON.

2740S.011

KRISTINA MARTIN, Secretary

### AN ACT

To repeal sections 571.030, 571.101, 571.117, 571.205, and 571.225, RSMo, and to enact in lieu thereof five new sections relating to weapons, with penalty provisions.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Sections 571.030, 571.101, 571.117, 571.205, 2 and 571.225, RSMo, are repealed and five new sections enacted 3 in lieu thereof, to be known as sections 571.030, 571.101, 4 571.117, 571.205, and 571.225, to read as follows:

571.030. 1. A person commits the offense of unlawful 2 use of weapons, except as otherwise provided by sections 3 571.101 to 571.121, if he or she knowingly:

4 (1) Carries concealed upon or about his or her person 5 a knife, a firearm, a blackjack or any other weapon readily 6 capable of lethal use into any area where firearms are 7 restricted under section 571.107; or

8 (2) Sets a spring gun; or

9 (3) Discharges or shoots a firearm into a dwelling 10 house, a railroad train, boat, aircraft, or motor vehicle as 11 defined in section 302.010, or any building or structure 12 used for the assembling of people; or

13 (4) Exhibits, in the presence of one or more persons, 14 any weapon readily capable of lethal use in an angry or 15 threatening manner; or

16 (5) Has a firearm or projectile weapon readily capable 17 of lethal use on his or her person, while he or she is 18 intoxicated, and handles or otherwise uses such firearm or 19 projectile weapon in either a negligent or unlawful manner

**EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

20 or discharges such firearm or projectile weapon unless  
21 acting in self-defense; or

22 (6) Discharges a firearm within one hundred yards of  
23 any occupied schoolhouse, courthouse, or church building; or

24 (7) Discharges or shoots a firearm at a mark, at any  
25 object, or at random, on, along or across a public highway  
26 or discharges or shoots a firearm into any outbuilding; or

27 (8) Carries a firearm or any other weapon readily  
28 capable of lethal use into any church or place where people  
29 have assembled for worship, or into any election precinct on  
30 any election day, or into any building owned or occupied by  
31 any agency of the federal government, state government, or  
32 political subdivision thereof; or

33 (9) Discharges or shoots a firearm at or from a motor  
34 vehicle, as defined in section 301.010, discharges or shoots  
35 a firearm at any person, or at any other motor vehicle, or  
36 at any building or habitable structure, unless the person  
37 was lawfully acting in self-defense; or

38 (10) Carries a firearm, whether loaded or unloaded, or  
39 any other weapon readily capable of lethal use into any  
40 school, onto any school bus, or onto the premises of any  
41 function or activity sponsored or sanctioned by school  
42 officials or the district school board; or

43 (11) Possesses a firearm while also knowingly in  
44 possession of a controlled substance that is sufficient for  
45 a felony violation of section 579.015.

46 2. Subdivisions (1), (8), and (10) of subsection 1 of  
47 this section shall not apply to the persons described in  
48 this subsection, regardless of whether such uses are  
49 reasonably associated with or are necessary to the  
50 fulfillment of such person's official duties except as  
51 otherwise provided in this subsection. Subdivisions (3),

52 (4), (6), (7), and (9) of subsection 1 of this section shall  
53 not apply to or affect any of the following persons, when  
54 such uses are reasonably associated with or are necessary to  
55 the fulfillment of such person's official duties, except as  
56 otherwise provided in this subsection:

57 (1) All state, county and municipal peace officers who  
58 have completed the training required by the police officer  
59 standards and training commission pursuant to sections  
60 590.030 to 590.050 and who possess the duty and power of  
61 arrest for violation of the general criminal laws of the  
62 state or for violation of ordinances of counties or  
63 municipalities of the state, whether such officers are on or  
64 off duty, and whether such officers are within or outside of  
65 the law enforcement agency's jurisdiction, or all qualified  
66 retired peace officers, as defined in subsection 12 of this  
67 section, and who carry the identification defined in  
68 subsection 13 of this section, or any person summoned by  
69 such officers to assist in making arrests or preserving the  
70 peace while actually engaged in assisting such officer;

71 (2) Wardens, superintendents and keepers of prisons,  
72 penitentiaries, jails and other institutions for the  
73 detention of persons accused or convicted of crime;

74 (3) Members of the Armed Forces or National Guard  
75 while performing their official duty;

76 (4) Those persons vested by Article V, Section 1 of  
77 the Constitution of Missouri with the judicial power of the  
78 state and those persons vested by Article III of the  
79 Constitution of the United States with the judicial power of  
80 the United States, the members of the federal judiciary;

81 (5) Any person whose bona fide duty is to execute  
82 process, civil or criminal;

83           (6) Any federal probation officer or federal flight  
84 deck officer as defined under the federal flight deck  
85 officer program, 49 U.S.C. Section 44921, regardless of  
86 whether such officers are on duty, or within the law  
87 enforcement agency's jurisdiction;

88           (7) Any state probation or parole officer, including  
89 supervisors and members of the parole board;

90           (8) Any corporate security advisor meeting the  
91 definition and fulfilling the requirements of the  
92 regulations established by the department of public safety  
93 under section 590.750;

94           (9) Any coroner, deputy coroner, medical examiner, or  
95 assistant medical examiner;

96           (10) Any municipal or county prosecuting attorney or  
97 assistant prosecuting attorney; circuit attorney or  
98 assistant circuit attorney; municipal, associate, or circuit  
99 judge; or any person appointed by a court to be a special  
100 prosecutor who has completed the firearms safety training  
101 course required under subsection 2 of section 571.111;

102           (11) Any member of a fire department or fire  
103 protection district who is employed on a full-time basis as  
104 a fire investigator and who has a valid concealed carry  
105 endorsement issued prior to August 28, 2013, or a valid  
106 concealed carry permit under section 571.111 when such uses  
107 are reasonably associated with or are necessary to the  
108 fulfillment of such person's official duties; and

109           (12) Upon the written approval of the governing body  
110 of a fire department or fire protection district, any paid  
111 fire department or fire protection district member who is  
112 employed on a full-time basis and who has a valid concealed  
113 carry endorsement issued prior to August 28, 2013, or a  
114 valid concealed carry permit, when such uses are reasonably

115 associated with or are necessary to the fulfillment of such  
116 person's official duties.

117         3. Subdivisions (1), (5), (8), and (10) of subsection  
118 1 of this section do not apply when the actor is  
119 transporting such weapons in a nonfunctioning state or in an  
120 unloaded state when ammunition is not readily accessible or  
121 when such weapons are not readily accessible. Subdivision  
122 (1) of subsection 1 of this section does not apply to any  
123 person [~~nineteen~~] **eighteen** years of age or older [or  
124 ~~eighteen years of age or older and a member of the United~~  
125 ~~States Armed Forces, or honorably discharged from the United~~  
126 ~~States Armed Forces,~~] transporting a concealable firearm in  
127 the passenger compartment of a motor vehicle, so long as  
128 such concealable firearm is otherwise lawfully possessed,  
129 nor when the actor is also in possession of an exposed  
130 firearm or projectile weapon for the lawful pursuit of game,  
131 or is in his or her dwelling unit or upon premises over  
132 which the actor has possession, authority or control, or is  
133 traveling in a continuous journey peaceably through this  
134 state. Subdivision (10) of subsection 1 of this section  
135 does not apply if the firearm is otherwise lawfully  
136 possessed by a person while traversing school premises for  
137 the purposes of transporting a student to or from school, or  
138 possessed by an adult for the purposes of facilitation of a  
139 school-sanctioned firearm-related event or club event.

140         4. Subdivisions (1), (8), and (10) of subsection 1 of  
141 this section shall not apply to any person who has a valid  
142 concealed carry permit issued pursuant to sections 571.101  
143 to 571.121, a valid concealed carry endorsement issued  
144 before August 28, 2013, or a valid permit or endorsement to  
145 carry concealed firearms issued by another state or  
146 political subdivision of another state.

147           5. Subdivisions (3), (4), (5), (6), (7), (8), (9), and  
148 (10) of subsection 1 of this section shall not apply to  
149 persons who are engaged in a lawful act of defense pursuant  
150 to section 563.031.

151           6. Notwithstanding any provision of this section to  
152 the contrary, the state shall not prohibit any state  
153 employee from having a firearm in the employee's vehicle on  
154 the state's property provided that the vehicle is locked and  
155 the firearm is not visible. This subsection shall only  
156 apply to the state as an employer when the state employee's  
157 vehicle is on property owned or leased by the state and the  
158 state employee is conducting activities within the scope of  
159 his or her employment. For the purposes of this subsection,  
160 "state employee" means an employee of the executive,  
161 legislative, or judicial branch of the government of the  
162 state of Missouri.

163           7. (1) Subdivision (10) of subsection 1 of this  
164 section shall not apply to a person who is a school officer  
165 commissioned by the district school board under section  
166 162.215 or who is a school protection officer, as described  
167 under section 160.665.

168           (2) Nothing in this section shall make it unlawful for  
169 a student to actually participate in school-sanctioned gun  
170 safety courses, student military or ROTC courses, or other  
171 school-sponsored or club-sponsored firearm-related events,  
172 provided the student does not carry a firearm or other  
173 weapon readily capable of lethal use into any school, onto  
174 any school bus, or onto the premises of any other function  
175 or activity sponsored or sanctioned by school officials or  
176 the district school board.

177           8. A person who commits the crime of unlawful use of  
178 weapons under:

179           (1) Subdivision (2), (3), (4), or (11) of subsection 1  
180 of this section shall be guilty of a class E felony;

181           (2) Subdivision (1), (6), (7), or (8) of subsection 1  
182 of this section shall be guilty of a class B misdemeanor,  
183 except when a concealed weapon is carried onto any private  
184 property whose owner has posted the premises as being off-  
185 limits to concealed firearms by means of one or more signs  
186 displayed in a conspicuous place of a minimum size of eleven  
187 inches by fourteen inches with the writing thereon in  
188 letters of not less than one inch, in which case the  
189 penalties of subsection 2 of section 571.107 shall apply;

190           (3) Subdivision (5) or (10) of subsection 1 of this  
191 section shall be guilty of a class A misdemeanor if the  
192 firearm is unloaded and a class E felony if the firearm is  
193 loaded;

194           (4) Subdivision (9) of subsection 1 of this section  
195 shall be guilty of a class B felony, except that if the  
196 violation of subdivision (9) of subsection 1 of this section  
197 results in injury or death to another person, it is a class  
198 A felony.

199           9. Violations of subdivision (9) of subsection 1 of  
200 this section shall be punished as follows:

201           (1) For the first violation a person shall be  
202 sentenced to the maximum authorized term of imprisonment for  
203 a class B felony;

204           (2) For any violation by a prior offender as defined  
205 in section 558.016, a person shall be sentenced to the  
206 maximum authorized term of imprisonment for a class B felony  
207 without the possibility of parole, probation or conditional  
208 release for a term of ten years;

209           (3) For any violation by a persistent offender as  
210 defined in section 558.016, a person shall be sentenced to

211 the maximum authorized term of imprisonment for a class B  
212 felony without the possibility of parole, probation, or  
213 conditional release;

214 (4) For any violation which results in injury or death  
215 to another person, a person shall be sentenced to an  
216 authorized disposition for a class A felony.

217 10. Any person knowingly aiding or abetting any other  
218 person in the violation of subdivision (9) of subsection 1  
219 of this section shall be subject to the same penalty as that  
220 prescribed by this section for violations by other persons.

221 11. Notwithstanding any other provision of law, no  
222 person who pleads guilty to or is found guilty of a felony  
223 violation of subsection 1 of this section shall receive a  
224 suspended imposition of sentence if such person has  
225 previously received a suspended imposition of sentence for  
226 any other firearms- or weapons-related felony offense.

227 12. As used in this section "qualified retired peace  
228 officer" means an individual who:

229 (1) Retired in good standing from service with a  
230 public agency as a peace officer, other than for reasons of  
231 mental instability;

232 (2) Before such retirement, was authorized by law to  
233 engage in or supervise the prevention, detection,  
234 investigation, or prosecution of, or the incarceration of  
235 any person for, any violation of law, and had statutory  
236 powers of arrest;

237 (3) Before such retirement, was regularly employed as  
238 a peace officer for an aggregate of fifteen years or more,  
239 or retired from service with such agency, after completing  
240 any applicable probationary period of such service, due to a  
241 service-connected disability, as determined by such agency;



242 (4) Has a nonforfeitable right to benefits under the  
243 retirement plan of the agency if such a plan is available;

244 (5) During the most recent twelve-month period, has  
245 met, at the expense of the individual, the standards for  
246 training and qualification for active peace officers to  
247 carry firearms;

248 (6) Is not under the influence of alcohol or another  
249 intoxicating or hallucinatory drug or substance; and

250 (7) Is not prohibited by federal law from receiving a  
251 firearm.

252 13. The identification required by subdivision (1) of  
253 subsection 2 of this section is:

254 (1) A photographic identification issued by the agency  
255 from which the individual retired from service as a peace  
256 officer that indicates that the individual has, not less  
257 recently than one year before the date the individual is  
258 carrying the concealed firearm, been tested or otherwise  
259 found by the agency to meet the standards established by the  
260 agency for training and qualification for active peace  
261 officers to carry a firearm of the same type as the  
262 concealed firearm; or

263 (2) A photographic identification issued by the agency  
264 from which the individual retired from service as a peace  
265 officer; and

266 (3) A certification issued by the state in which the  
267 individual resides that indicates that the individual has,  
268 not less recently than one year before the date the  
269 individual is carrying the concealed firearm, been tested or  
270 otherwise found by the state to meet the standards  
271 established by the state for training and qualification for  
272 active peace officers to carry a firearm of the same type as  
273 the concealed firearm.

571.101. 1. All applicants for concealed carry  
2 permits issued pursuant to subsection 7 of this section must  
3 satisfy the requirements of sections 571.101 to 571.121. If  
4 the said applicant can show qualification as provided by  
5 sections 571.101 to 571.121, the county or city sheriff  
6 shall issue a concealed carry permit authorizing the  
7 carrying of a concealed firearm on or about the applicant's  
8 person or within a vehicle. A concealed carry permit shall  
9 be valid from the date of issuance or renewal until five  
10 years from the last day of the month in which the permit was  
11 issued or renewed. The concealed carry permit is valid  
12 throughout this state. Although the permit is considered  
13 valid in the state, a person who fails to renew his or her  
14 permit within five years from the date of issuance or  
15 renewal shall not be eligible for an exception to a National  
16 Instant Criminal Background Check under federal regulations  
17 currently codified under 27 CFR 478.102(d), relating to the  
18 transfer, sale, or delivery of firearms from licensed  
19 dealers. A concealed carry endorsement issued prior to  
20 August 28, 2013, shall continue from the date of issuance or  
21 renewal until three years from the last day of the month in  
22 which the endorsement was issued or renewed to authorize the  
23 carrying of a concealed firearm on or about the applicant's  
24 person or within a vehicle in the same manner as a concealed  
25 carry permit issued under subsection 7 of this section on or  
26 after August 28, 2013.

27 2. A concealed carry permit issued pursuant to  
28 subsection 7 of this section shall be issued by the sheriff  
29 or his or her designee of the county or city in which the  
30 applicant resides, if the applicant:

31 (1) Is at least [nineteen] **eighteen** years of age, is a  
32 citizen or permanent resident of the United States and  
33 either:

34 (a) Has assumed residency in this state; or

35 (b) Is a member of the Armed Forces stationed in  
36 Missouri, or the spouse of such member of the military;

37 (2) Is at least [nineteen] **eighteen** years of age, [or  
38 is at least eighteen years of age and a member of the United  
39 States Armed Forces or honorably discharged from the United  
40 States Armed Forces, and] is a citizen of the United States,  
41 and either:

42 (a) Has assumed residency in this state;

43 (b) Is a member of the Armed Forces stationed in  
44 Missouri; or

45 (c) The spouse of such member of the military  
46 stationed in Missouri and [nineteen] **eighteen** years of age;

47 (3) Has not pled guilty to or entered a plea of nolo  
48 contendere or been convicted of a crime punishable by  
49 imprisonment for a term exceeding one year under the laws of  
50 any state or of the United States other than a crime  
51 classified as a misdemeanor under the laws of any state and  
52 punishable by a term of imprisonment of two years or less  
53 that does not involve an explosive weapon, firearm, firearm  
54 silencer or gas gun;

55 (4) Has not been convicted of, pled guilty to or  
56 entered a plea of nolo contendere to one or more misdemeanor  
57 offenses involving crimes of violence within a five-year  
58 period immediately preceding application for a concealed  
59 carry permit or if the applicant has not been convicted of  
60 two or more misdemeanor offenses involving driving while  
61 under the influence of intoxicating liquor or drugs or the  
62 possession or abuse of a controlled substance within a five-

63 year period immediately preceding application for a  
64 concealed carry permit;

65 (5) Is not a fugitive from justice or currently  
66 charged in an information or indictment with the commission  
67 of a crime punishable by imprisonment for a term exceeding  
68 one year under the laws of any state of the United States  
69 other than a crime classified as a misdemeanor under the  
70 laws of any state and punishable by a term of imprisonment  
71 of two years or less that does not involve an explosive  
72 weapon, firearm, firearm silencer, or gas gun;

73 (6) Has not been discharged under dishonorable  
74 conditions from the United States Armed Forces;

75 (7) Has not engaged in a pattern of behavior,  
76 documented in public or closed records, that causes the  
77 sheriff to have a reasonable belief that the applicant  
78 presents a danger to himself or others;

79 (8) Is not adjudged mentally incompetent at the time  
80 of application or for five years prior to application, or  
81 has not been committed to a mental health facility, as  
82 defined in section 632.005, or a similar institution located  
83 in another state following a hearing at which the defendant  
84 was represented by counsel or a representative;

85 (9) Submits a completed application for a permit as  
86 described in subsection 3 of this section;

87 (10) Submits an affidavit attesting that the applicant  
88 complies with the concealed carry safety training  
89 requirement pursuant to subsections 1 and 2 of section  
90 571.111;

91 (11) Is not the respondent of a valid full order of  
92 protection which is still in effect;

93 (12) Is not otherwise prohibited from possessing a  
94 firearm under section 571.070 or 18 U.S.C. Section 922(g).

95           3. The application for a concealed carry permit issued  
96 by the sheriff of the county of the applicant's residence  
97 shall contain only the following information:

98           (1) The applicant's name, address, telephone number,  
99 gender, date and place of birth, and, if the applicant is  
100 not a United States citizen, the applicant's country of  
101 citizenship and any alien or admission number issued by the  
102 Federal Bureau of Customs and Immigration Enforcement or any  
103 successor agency;

104           (2) An affirmation that the applicant has assumed  
105 residency in Missouri or is a member of the Armed Forces  
106 stationed in Missouri or the spouse of such a member of the  
107 Armed Forces and is a citizen or permanent resident of the  
108 United States;

109           (3) An affirmation that the applicant is at least  
110 **[nineteen] eighteen** years of age **[or is eighteen years of**  
111 **age or older and a member of the United States Armed Forces**  
112 **or honorably discharged from the United States Armed Forces]**;

113           (4) An affirmation that the applicant has not pled  
114 guilty to or been convicted of a crime punishable by  
115 imprisonment for a term exceeding one year under the laws of  
116 any state or of the United States other than a crime  
117 classified as a misdemeanor under the laws of any state and  
118 punishable by a term of imprisonment of two years or less  
119 that does not involve an explosive weapon, firearm, firearm  
120 silencer, or gas gun;

121           (5) An affirmation that the applicant has not been  
122 convicted of, pled guilty to, or entered a plea of nolo  
123 contendere to one or more misdemeanor offenses involving  
124 crimes of violence within a five-year period immediately  
125 preceding application for a permit or if the applicant has  
126 not been convicted of two or more misdemeanor offenses

127 involving driving while under the influence of intoxicating  
128 liquor or drugs or the possession or abuse of a controlled  
129 substance within a five-year period immediately preceding  
130 application for a permit;

131 (6) An affirmation that the applicant is not a  
132 fugitive from justice or currently charged in an information  
133 or indictment with the commission of a crime punishable by  
134 imprisonment for a term exceeding one year under the laws of  
135 any state or of the United States other than a crime  
136 classified as a misdemeanor under the laws of any state and  
137 punishable by a term of imprisonment of two years or less  
138 that does not involve an explosive weapon, firearm, firearm  
139 silencer or gas gun;

140 (7) An affirmation that the applicant has not been  
141 discharged under dishonorable conditions from the United  
142 States Armed Forces;

143 (8) An affirmation that the applicant is not adjudged  
144 mentally incompetent at the time of application or for five  
145 years prior to application, or has not been committed to a  
146 mental health facility, as defined in section 632.005, or a  
147 similar institution located in another state, except that a  
148 person whose release or discharge from a facility in this  
149 state pursuant to chapter 632, or a similar discharge from a  
150 facility in another state, occurred more than five years ago  
151 without subsequent recommitment may apply;

152 (9) An affirmation that the applicant has received  
153 firearms safety training that meets the standards of  
154 applicant firearms safety training defined in subsection 1  
155 or 2 of section 571.111;

156 (10) An affirmation that the applicant, to the  
157 applicant's best knowledge and belief, is not the respondent  
158 of a valid full order of protection which is still in effect;

159           (11) A conspicuous warning that false statements made  
160 by the applicant will result in prosecution for perjury  
161 pursuant to the laws of the state of Missouri; and

162           (12) A government-issued photo identification. This  
163 photograph shall not be included on the permit and shall  
164 only be used to verify the person's identity for permit  
165 renewal, or for the issuance of a new permit due to change  
166 of address, or for a lost or destroyed permit.

167           4. An application for a concealed carry permit shall  
168 be made to the sheriff of the county or any city not within  
169 a county in which the applicant resides. An application  
170 shall be filed in writing, signed under oath and under the  
171 penalties of perjury, and shall state whether the applicant  
172 complies with each of the requirements specified in  
173 subsection 2 of this section. In addition to the completed  
174 application, the applicant for a concealed carry permit must  
175 also submit the following:

176           (1) A photocopy of a firearms safety training  
177 certificate of completion or other evidence of completion of  
178 a firearms safety training course that meets the standards  
179 established in subsection 1 or 2 of section 571.111; and

180           (2) A nonrefundable permit fee as provided by  
181 subsection 11 or 12 of this section.

182           5. (1) Before an application for a concealed carry  
183 permit is approved, the sheriff shall make only such  
184 inquiries as he or she deems necessary into the accuracy of  
185 the statements made in the application. The sheriff may  
186 require that the applicant display a Missouri driver's  
187 license or nondriver's license or military identification  
188 and orders showing the person being stationed in Missouri.  
189 In order to determine the applicant's suitability for a  
190 concealed carry permit, the applicant shall be

191 fingerprinted. No other biometric data shall be collected  
192 from the applicant. The sheriff shall conduct an inquiry of  
193 the National Instant Criminal Background Check System within  
194 three working days after submission of the properly  
195 completed application for a concealed carry permit. If no  
196 disqualifying record is identified by these checks at the  
197 state level, the fingerprints shall be forwarded to the  
198 Federal Bureau of Investigation for a national criminal  
199 history record check. Upon receipt of the completed report  
200 from the National Instant Criminal Background Check System  
201 and the response from the Federal Bureau of Investigation  
202 national criminal history record check, the sheriff shall  
203 examine the results and, if no disqualifying information is  
204 identified, shall issue a concealed carry permit within  
205 three working days.

206 (2) In the event the report from the National Instant  
207 Criminal Background Check System and the response from the  
208 Federal Bureau of Investigation national criminal history  
209 record check prescribed by subdivision (1) of this  
210 subsection are not completed within forty-five calendar days  
211 and no disqualifying information concerning the applicant  
212 has otherwise come to the sheriff's attention, the sheriff  
213 shall issue a provisional permit, clearly designated on the  
214 certificate as such, which the applicant shall sign in the  
215 presence of the sheriff or the sheriff's designee. This  
216 permit, when carried with a valid Missouri driver's or  
217 nondriver's license or a valid military identification,  
218 shall permit the applicant to exercise the same rights in  
219 accordance with the same conditions as pertain to a  
220 concealed carry permit issued under this section, provided  
221 that it shall not serve as an alternative to an national  
222 instant criminal background check required by 18 U.S.C.



223 Section 922(t). The provisional permit shall remain valid  
224 until such time as the sheriff either issues or denies the  
225 certificate of qualification under subsection 6 or 7 of this  
226 section. The sheriff shall revoke a provisional permit  
227 issued under this subsection within twenty-four hours of  
228 receipt of any report that identifies a disqualifying  
229 record, and shall notify the concealed carry permit system  
230 established under subsection 5 of section 650.350. The  
231 revocation of a provisional permit issued under this section  
232 shall be proscribed in a manner consistent to the denial and  
233 review of an application under subsection 6 of this section.

234 6. The sheriff may refuse to approve an application  
235 for a concealed carry permit if he or she determines that  
236 any of the requirements specified in subsection 2 of this  
237 section have not been met, or if he or she has a substantial  
238 and demonstrable reason to believe that the applicant has  
239 rendered a false statement regarding any of the provisions  
240 of sections 571.101 to 571.121. If the applicant is found  
241 to be ineligible, the sheriff is required to deny the  
242 application, and notify the applicant in writing, stating  
243 the grounds for denial and informing the applicant of the  
244 right to submit, within thirty days, any additional  
245 documentation relating to the grounds of the denial. Upon  
246 receiving any additional documentation, the sheriff shall  
247 reconsider his or her decision and inform the applicant  
248 within thirty days of the result of the reconsideration.  
249 The applicant shall further be informed in writing of the  
250 right to appeal the denial pursuant to subsections 2, 3, 4,  
251 and 5 of section 571.114. After two additional reviews and  
252 denials by the sheriff, the person submitting the  
253 application shall appeal the denial pursuant to subsections  
254 2, 3, 4, and 5 of section 571.114.

255           7. If the application is approved, the sheriff shall  
256 issue a concealed carry permit to the applicant within a  
257 period not to exceed three working days after his or her  
258 approval of the application. The applicant shall sign the  
259 concealed carry permit in the presence of the sheriff or his  
260 or her designee.

261           8. The concealed carry permit shall specify only the  
262 following information:

263           (1) Name, address, date of birth, gender, height,  
264 weight, color of hair, color of eyes, and signature of the  
265 permit holder;

266           (2) The signature of the sheriff issuing the permit;

267           (3) The date of issuance; and

268           (4) The expiration date.

269 The permit shall be no larger than two and one-eighth inches  
270 wide by three and three-eighths inches long and shall be of  
271 a uniform style prescribed by the department of public  
272 safety. The permit shall also be assigned a concealed carry  
273 permit system county code and shall be stored in sequential  
274 number.

275           9. (1) The sheriff shall keep a record of all  
276 applications for a concealed carry permit or a provisional  
277 permit and his or her action thereon. Any record of an  
278 application that is incomplete or denied for any reason  
279 shall be kept for a period not to exceed one year. Any  
280 record of an application that was approved shall be kept for  
281 a period of one year after the expiration and nonrenewal of  
282 the permit.

283           (2) The sheriff shall report the issuance of a  
284 concealed carry permit or provisional permit to the  
285 concealed carry permit system. All information on any such

286 permit that is protected information on any driver's or  
287 nondriver's license shall have the same personal protection  
288 for purposes of sections 571.101 to 571.121. An applicant's  
289 status as a holder of a concealed carry permit, provisional  
290 permit, or a concealed carry endorsement issued prior to  
291 August 28, 2013, shall not be public information and shall  
292 be considered personal protected information. Information  
293 retained in the concealed carry permit system under this  
294 subsection shall not be distributed to any federal, state,  
295 or private entities and shall only be made available for a  
296 single entry query of an individual in the event the  
297 individual is a subject of interest in an active criminal  
298 investigation or is arrested for a crime. A sheriff may  
299 access the concealed carry permit system for administrative  
300 purposes to issue a permit, verify the accuracy of permit  
301 holder information, change the name or address of a permit  
302 holder, suspend or revoke a permit, cancel an expired  
303 permit, or cancel a permit upon receipt of a certified death  
304 certificate for the permit holder. Any person who violates  
305 the provisions of this subdivision by disclosing protected  
306 information shall be guilty of a class A misdemeanor.

307 10. Information regarding any holder of a concealed  
308 carry permit, or a concealed carry endorsement issued prior  
309 to August 28, 2013, is a closed record. No bulk download or  
310 batch data shall be distributed to any federal, state, or  
311 private entity, except to MoSMART or a designee thereof.  
312 Any state agency that has retained any documents or records,  
313 including fingerprint records provided by an applicant for a  
314 concealed carry endorsement prior to August 28, 2013, shall  
315 destroy such documents or records, upon successful issuance  
316 of a permit.

317           11. For processing an application for a concealed  
318 carry permit pursuant to sections 571.101 to 571.121, the  
319 sheriff in each county shall charge a nonrefundable fee not  
320 to exceed one hundred dollars which shall be paid to the  
321 treasury of the county to the credit of the sheriff's  
322 revolving fund. This fee shall include the cost to  
323 reimburse the Missouri state highway patrol for the costs of  
324 fingerprinting and criminal background checks. An  
325 additional fee shall be added to each credit card, debit  
326 card, or other electronic transaction equal to the charge  
327 paid by the state or the applicant for the use of the credit  
328 card, debit card, or other electronic payment method by the  
329 applicant.

330           12. For processing a renewal for a concealed carry  
331 permit pursuant to sections 571.101 to 571.121, the sheriff  
332 in each county shall charge a nonrefundable fee not to  
333 exceed fifty dollars which shall be paid to the treasury of  
334 the county to the credit of the sheriff's revolving fund.

335           13. For the purposes of sections 571.101 to 571.121,  
336 the term "sheriff" shall include the sheriff of any county  
337 or city not within a county or his or her designee and in  
338 counties of the first classification the sheriff may  
339 designate the chief of police of any city, town, or  
340 municipality within such county.

341           14. For the purposes of this chapter, "concealed carry  
342 permit" shall include any concealed carry endorsement issued  
343 by the department of revenue before January 1, 2014, and any  
344 concealed carry document issued by any sheriff or under the  
345 authority of any sheriff after December 31, 2013.

571.117. 1. Any person who has knowledge that another  
2 person, who was issued a concealed carry permit pursuant to  
3 sections 571.101 to 571.121, or concealed carry endorsement

4 prior to August 28, 2013, never was or no longer is eligible  
 5 for such permit or endorsement under the criteria  
 6 established in sections 571.101 to 571.121 may file a  
 7 petition with the clerk of the small claims court to revoke  
 8 that person's concealed carry permit or endorsement. The  
 9 petition shall be in a form substantially similar to the  
 10 petition for revocation of concealed carry permit or  
 11 endorsement provided in this section. Appeal forms shall be  
 12 provided by the clerk of the small claims court free of  
 13 charge to any person:

SMALL CLAIMS COURT

In the Circuit Court of \_\_\_\_\_, Missouri

\_\_\_\_\_, PLAINTIFF

)

)

vs. ) Case Number \_\_\_\_\_

)

\_\_\_\_\_, DEFENDANT,

Carry Permit or Endorsement Holder

\_\_\_\_\_, DEFENDANT,

Sheriff of Issuance

PETITION FOR REVOCATION OF A

CONCEALED CARRY PERMIT OR CONCEALED CARRY  
ENDORSEMENT

28 Plaintiff states to the court that the defendant,  
 29 \_\_\_\_\_, has a concealed carry permit issued  
 30 pursuant to sections 571.101 to 571.121, RSMo, or a  
 31 concealed carry endorsement issued prior to August  
 32 28, 2013, and that the defendant's concealed carry  
 33 permit or concealed carry endorsement should now be  
 34 revoked because the defendant either never was or  
 35 no longer is eligible for such a permit or

36 endorsement pursuant to the provisions of sections  
 37 571.101 to 571.121, RSMo, specifically plaintiff  
 38 states that defendant, \_\_\_\_\_, never was or no  
 39 longer is eligible for such permit or endorsement  
 40 for one or more of the following reasons:

41  
 42 (CHECK BELOW EACH REASON THAT APPLIES TO THIS  
 43 DEFENDANT)

44 45 46 47 48	<input type="checkbox"/> Defendant is not at least [nineteen] <b>eighteen</b> years of age [or at least eighteen years of age and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces].
49 50	<input type="checkbox"/> Defendant is not a citizen or permanent resident of the United States.
51 52 53 54	<input type="checkbox"/> Defendant had not resided in this state prior to issuance of the permit and does not qualify as a military member or spouse of a military member stationed in Missouri.
55 56 57 58 59 60 61 62 63	<input type="checkbox"/> Defendant has pled guilty to or been convicted of a crime punishable by imprisonment for a term exceeding two years under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun.
64 65 66 67 68 69 70 71 72 73 74	<input type="checkbox"/> Defendant has been convicted of, pled guilty to or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a concealed carry permit issued pursuant to sections 571.101 to 571.121, RSMo, or a concealed carry endorsement issued prior to August 28, 2013, or if the applicant has been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or

75 76 77 78 79 80 81	drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a concealed carry permit issued pursuant to sections 571.101 to 571.121, RSMo, or a concealed carry endorsement issued prior to August 28, 2013.
82 83 84 85 86 87 88 89 90 91 92	<input type="checkbox"/> Defendant is a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun.
93 94 95	<input type="checkbox"/> Defendant has been discharged under dishonorable conditions from the United States Armed Forces.
96 97 98	<input type="checkbox"/> Defendant is reasonably believed by the sheriff to be a danger to self or others based on previous, documented pattern.
99 100 101 102 103 104 105 106 107 108 109	<input type="checkbox"/> Defendant is adjudged mentally incompetent at the time of application or for five years prior to application, or has been committed to a mental health facility, as defined in section 632.005, RSMo, or a similar institution located in another state, except that a person whose release or discharge from a facility in this state pursuant to chapter 632, RSMo, or a similar discharge from a facility in another state, occurred more than five years ago without subsequent recommitment may apply.
110 111 112	<input type="checkbox"/> Defendant failed to submit a completed application for a concealed carry permit issued pursuant to sections 571.101 to 571.121, RSMo,

<p>113 114</p>	<p>or a concealed carry endorsement issued prior to August 28, 2013.</p>
<p>115 116 117 118 119 120 121 122</p>	<p><input type="checkbox"/> Defendant failed to submit to or failed to clear the required background check. (Note: This does not apply if the defendant has submitted to a background check and been issued a provisional permit pursuant to subdivision (2) of subsection 5 of section 571.101, and the results of the background check are still pending.)</p>
<p>123 124 125 126 127</p>	<p><input type="checkbox"/> Defendant failed to submit an affidavit attesting that the applicant complies with the concealed carry safety training requirement pursuant to subsection 1 of section 571.111, RSMo.</p>
<p>128 129 130 131</p>	<p><input type="checkbox"/> Defendant is otherwise disqualified from possessing a firearm pursuant to 18 U.S.C. Section 922(g) or section 571.070, RSMo, because (specify reason):</p>

132

133 The plaintiff subject to penalty for perjury states  
 134 that the information contained in this petition is  
 135 true and correct to the best of the plaintiff's  
 136 knowledge, is reasonably based upon the  
 137 petitioner's personal knowledge and is not  
 138 primarily intended to harass the  
 139 defendant/respondent named herein.

140 \_\_\_\_\_ , PLAINTIFF

141 2. If at the hearing the plaintiff shows that the  
 142 defendant was not eligible for the concealed carry permit  
 143 issued pursuant to sections 571.101 to 571.121, or a  
 144 concealed carry endorsement issued prior to August 28, 2013,  
 145 at the time of issuance or renewal or is no longer eligible  
 146 for a concealed carry permit or the concealed carry  
 147 endorsement, the court shall issue an appropriate order to



148 cause the revocation of the concealed carry permit and, if  
149 applicable, the concealed carry endorsement. Costs shall  
150 not be assessed against the sheriff.

151         3. The finder of fact, in any action brought against a  
152 permit or endorsement holder pursuant to subsection 1 of  
153 this section, shall make findings of fact and the court  
154 shall make conclusions of law addressing the issues at  
155 dispute. If it is determined that the plaintiff in such an  
156 action acted without justification or with malice or  
157 primarily with an intent to harass the permit or endorsement  
158 holder or that there was no reasonable basis to bring the  
159 action, the court shall order the plaintiff to pay the  
160 defendant/respondent all reasonable costs incurred in  
161 defending the action including, but not limited to,  
162 attorney's fees, deposition costs, and lost wages. Once the  
163 court determines that the plaintiff is liable to the  
164 defendant/respondent for costs and fees, the extent and type  
165 of fees and costs to be awarded should be liberally  
166 calculated in defendant/respondent's favor. Notwithstanding  
167 any other provision of law, reasonable attorney's fees shall  
168 be presumed to be at least one hundred fifty dollars per  
169 hour.

170         4. Any person aggrieved by any final judgment rendered  
171 by a small claims court in a petition for revocation of a  
172 concealed carry permit or concealed carry endorsement may  
173 have a right to trial de novo as provided in sections  
174 512.180 to 512.320.

175         5. The office of the county sheriff or any employee or  
176 agent of the county sheriff shall not be liable for damages  
177 in any civil action arising from alleged wrongful or  
178 improper granting, renewing, or failure to revoke a  
179 concealed carry permit issued pursuant to sections 571.101

180 to 571.121, or a certificate of qualification for a  
181 concealed carry endorsement issued prior to August 28, 2013,  
182 so long as the sheriff acted in good faith.

571.205. 1. Upon request and payment of the required  
2 fee, the sheriff shall issue a concealed carry permit that  
3 is valid through the state of Missouri for the lifetime of  
4 the permit holder to a Missouri resident who meets the  
5 requirements of sections 571.205 to 571.230, known as a  
6 Missouri lifetime concealed carry permit. A person may also  
7 request, and the sheriff shall issue upon payment of the  
8 required fee, a concealed carry permit that is valid through  
9 the state of Missouri for a period of either ten years or  
10 twenty-five years from the date of issuance or renewal to a  
11 Missouri resident who meets the requirements of sections  
12 571.205 to 571.230. Such permit shall be known as a  
13 Missouri extended concealed carry permit. A person issued a  
14 Missouri lifetime or extended concealed carry permit shall  
15 be required to comply with the provisions of sections  
16 571.205 to 571.230. If the applicant can show qualification  
17 as provided by sections 571.205 to 571.230, the sheriff  
18 shall issue a Missouri lifetime or extended concealed carry  
19 permit authorizing the carrying of a concealed firearm on or  
20 about the applicant's person or within a vehicle.

21 2. A Missouri lifetime or extended concealed carry  
22 permit shall be suspended if the permit holder becomes a  
23 resident of another state. The permit may be reactivated  
24 upon reestablishment of Missouri residency if the applicant  
25 meets the requirements of sections 571.205 to 571.230, and  
26 upon successful completion of a name-based inquiry of the  
27 National Instant Background Check System.

28 3. A Missouri lifetime or extended concealed carry  
29 permit shall be issued by the sheriff or his or her designee

30 of the county or city in which the applicant resides, if the  
31 applicant:

32 (1) Is at least [nineteen] **eighteen** years of age, is a  
33 citizen or permanent resident of the United States, and has  
34 assumed residency in this state[, or is at least eighteen  
35 years of age and a member of the United States Armed Forces  
36 or honorably discharged from the United States Armed Forces,  
37 and is a citizen of the United States and has assumed  
38 residency in this state];

39 (2) Has not pled guilty to or entered a plea of nolo  
40 contendere or been convicted of a crime punishable by  
41 imprisonment for a term exceeding one year under the laws of  
42 any state or of the United States, other than a crime  
43 classified as a misdemeanor under the laws of any state and  
44 punishable by a term of imprisonment of two years or less  
45 that does not involve an explosive weapon, firearm, firearm  
46 silencer, or gas gun;

47 (3) Has not been convicted of, pled guilty to or  
48 entered a plea of nolo contendere to one or more misdemeanor  
49 offenses involving crimes of violence within a five-year  
50 period immediately preceding application for a Missouri  
51 lifetime or extended concealed carry permit or if the  
52 applicant has not been convicted of two or more misdemeanor  
53 offenses involving driving while under the influence of  
54 intoxicating liquor or drugs or the possession or abuse of a  
55 controlled substance within a five-year period immediately  
56 preceding application for a Missouri lifetime or extended  
57 concealed carry permit;

58 (4) Is not a fugitive from justice or currently  
59 charged in an information or indictment with the commission  
60 of a crime punishable by imprisonment for a term exceeding  
61 one year under the laws of any state of the United States,

62 other than a crime classified as a misdemeanor under the  
63 laws of any state and punishable by a term of imprisonment  
64 of two years or less that does not involve an explosive  
65 weapon, firearm, firearm silencer, or gas gun;

66 (5) Has not been discharged under dishonorable  
67 conditions from the United States Armed Forces;

68 (6) Has not engaged in a pattern of behavior,  
69 documented in public or closed records, that causes the  
70 sheriff to have a reasonable belief that the applicant  
71 presents a danger to himself or herself or others;

72 (7) Is not adjudged mentally incompetent at the time  
73 of application or for five years prior to application, or  
74 has not been committed to a mental health facility, as  
75 defined in section 632.005, or a similar institution located  
76 in another state following a hearing at which the defendant  
77 was represented by counsel or a representative;

78 (8) Submits a completed application for a permit as  
79 described in subsection 4 of this section;

80 (9) Submits an affidavit attesting that the applicant  
81 complies with the concealed carry safety training  
82 requirement under subsections 1 and 2 of section 571.111;

83 (10) Is not the respondent of a valid full order of  
84 protection which is still in effect;

85 (11) Is not otherwise prohibited from possessing a  
86 firearm under section 571.070 or 18 U.S.C. Section 922(g).

87 4. The application for a Missouri lifetime or extended  
88 concealed carry permit issued by the sheriff of the county  
89 of the applicant's residence shall contain only the  
90 following information:

91 (1) The applicant's name, address, telephone number,  
92 gender, date and place of birth, and, if the applicant is  
93 not a United States citizen, the applicant's country of

94 citizenship and any alien or admission number issued by the  
95 United States Immigration and Customs Enforcement or any  
96 successor agency;

97 (2) An affirmation that the applicant has assumed  
98 residency in Missouri and is a citizen or permanent resident  
99 of the United States;

100 (3) An affirmation that the applicant is at least  
101 **[nineteen] eighteen** years of age **[or is eighteen years of**  
102 **age or older and a member of the United States Armed Forces**  
103 **or honorably discharged from the United States Armed Forces]**;

104 (4) An affirmation that the applicant has not pled  
105 guilty to or been convicted of a crime punishable by  
106 imprisonment for a term exceeding one year under the laws of  
107 any state or of the United States other than a crime  
108 classified as a misdemeanor under the laws of any state and  
109 punishable by a term of imprisonment of two years or less  
110 that does not involve an explosive weapon, firearm, firearm  
111 silencer, or gas gun;

112 (5) An affirmation that the applicant has not been  
113 convicted of, pled guilty to, or entered a plea of nolo  
114 contendere to one or more misdemeanor offenses involving  
115 crimes of violence within a five-year period immediately  
116 preceding application for a permit or that the applicant has  
117 not been convicted of two or more misdemeanor offenses  
118 involving driving while under the influence of intoxicating  
119 liquor or drugs or the possession or abuse of a controlled  
120 substance within a five-year period immediately preceding  
121 application for a permit;

122 (6) An affirmation that the applicant is not a  
123 fugitive from justice or currently charged in an information  
124 or indictment with the commission of a crime punishable by  
125 imprisonment for a term exceeding one year under the laws of

126 any state or of the United States other than a crime  
127 classified as a misdemeanor under the laws of any state and  
128 punishable by a term of imprisonment of two years or less  
129 that does not involve an explosive weapon, firearm, firearm  
130 silencer, or gas gun;

131 (7) An affirmation that the applicant has not been  
132 discharged under dishonorable conditions from the United  
133 States Armed Forces;

134 (8) An affirmation that the applicant is not adjudged  
135 mentally incompetent at the time of application or for five  
136 years prior to application, or has not been committed to a  
137 mental health facility, as defined in section 632.005, or a  
138 similar institution located in another state, except that a  
139 person whose release or discharge from a facility in this  
140 state under chapter 632, or a similar discharge from a  
141 facility in another state, occurred more than five years ago  
142 without subsequent recommitment may apply;

143 (9) An affirmation that the applicant has received  
144 firearms safety training that meets the standards of  
145 applicant firearms safety training defined in subsection 1  
146 or 2 of section 571.111;

147 (10) An affirmation that the applicant, to the  
148 applicant's best knowledge and belief, is not the respondent  
149 of a valid full order of protection which is still in effect;

150 (11) A conspicuous warning that false statements made  
151 by the applicant will result in prosecution for perjury  
152 under the laws of the state of Missouri; and

153 (12) A government-issued photo identification. This  
154 photograph shall not be included on the permit and shall  
155 only be used to verify the person's identity for the  
156 issuance of a new permit, issuance of a new permit due to  
157 change of name or address, renewal of an extended permit, or

158 for a lost or destroyed permit, or reactivation under  
159 subsection 2 of this section.

160         5. An application for a Missouri lifetime or extended  
161 concealed carry permit shall be made to the sheriff of the  
162 county in which the applicant resides. An application shall  
163 be filed in writing, signed under oath and under the  
164 penalties of perjury, and shall state whether the applicant  
165 complies with each of the requirements specified in  
166 subsection 3 of this section. In addition to the completed  
167 application, the applicant for a Missouri lifetime or  
168 extended concealed carry permit shall also submit the  
169 following:

170             (1) A photocopy of a firearms safety training  
171 certificate of completion or other evidence of completion of  
172 a firearms safety training course that meets the standards  
173 established in subsection 1 or 2 of section 571.111; and

174             (2) A nonrefundable permit fee as provided by  
175 subsection 12 of this section.

176         6. (1) Before an application for a Missouri lifetime  
177 or extended concealed carry permit is approved, the sheriff  
178 shall make only such inquiries as he or she deems necessary  
179 into the accuracy of the statements made in the  
180 application. The sheriff may require that the applicant  
181 display a Missouri driver's license or nondriver's license  
182 or military identification. No biometric data shall be  
183 collected from the applicant. The sheriff shall conduct an  
184 inquiry of the National Instant Criminal Background Check  
185 System within three working days after submission of the  
186 properly completed application for a Missouri lifetime or  
187 extended concealed carry permit. Upon receipt of the  
188 completed report from the National Instant Criminal  
189 Background Check System, the sheriff shall examine the

190 results and, if no disqualifying information is identified,  
191 shall issue a Missouri lifetime or extended concealed carry  
192 permit within three working days.

193         (2) In the event the report from the National Instant  
194 Criminal Background Check System and the response from the  
195 Federal Bureau of Investigation national criminal history  
196 record check prescribed by subdivision (1) of this  
197 subsection are not completed within forty-five calendar days  
198 and no disqualifying information concerning the applicant  
199 has otherwise come to the sheriff's attention, the sheriff  
200 shall issue a provisional permit, clearly designated on the  
201 certificate as such, which the applicant shall sign in the  
202 presence of the sheriff or the sheriff's designee. This  
203 permit, when carried with a valid Missouri driver's or  
204 nondriver's license, shall permit the applicant to exercise  
205 the same rights in accordance with the same conditions as  
206 pertain to a Missouri lifetime or extended concealed carry  
207 permit issued under this section, provided that it shall not  
208 serve as an alternative to a national instant criminal  
209 background check required by 18 U.S.C. Section 922(t). The  
210 provisional permit shall remain valid until such time as the  
211 sheriff either issues or denies the permit under subsection  
212 7 or 8 of this section. The sheriff shall revoke a  
213 provisional permit issued under this subsection within  
214 twenty-four hours of receipt of any report that identifies a  
215 disqualifying record, and shall notify the concealed carry  
216 permit system established under subsection 5 of section  
217 650.350. The revocation of a provisional permit issued  
218 under this section shall be prescribed in a manner  
219 consistent to the denial and review of an application under  
220 subsection 7 of this section.



221           7. The sheriff may refuse to approve an application  
222 for a Missouri lifetime or extended concealed carry permit  
223 if he or she determines that any of the requirements  
224 specified in subsection 3 of this section have not been met,  
225 or if he or she has a substantial and demonstrable reason to  
226 believe that the applicant has rendered a false statement  
227 regarding any of the provisions of sections 571.205 to  
228 571.230. If the applicant is found to be ineligible, the  
229 sheriff is required to deny the application, and notify the  
230 applicant in writing, stating the grounds for denial and  
231 informing the applicant of the right to submit, within  
232 thirty days, any additional documentation relating to the  
233 grounds of the denial. Upon receiving any additional  
234 documentation, the sheriff shall reconsider his or her  
235 decision and inform the applicant within thirty days of the  
236 result of the reconsideration. The applicant shall further  
237 be informed in writing of the right to appeal the denial  
238 under section 571.220. After two additional reviews and  
239 denials by the sheriff, the person submitting the  
240 application shall appeal the denial under section 571.220.

241           8. If the application is approved, the sheriff shall  
242 issue a Missouri lifetime or extended concealed carry permit  
243 to the applicant within a period not to exceed three working  
244 days after his or her approval of the application. The  
245 applicant shall sign the Missouri lifetime or extended  
246 concealed carry permit in the presence of the sheriff or his  
247 or her designee.

248           9. The Missouri lifetime or extended concealed carry  
249 permit shall specify only the following information:

250           (1) Name, address, date of birth, gender, height,  
251 weight, color of hair, color of eyes, and signature of the  
252 permit holder;

- 253           (2) The signature of the sheriff issuing the permit;  
254           (3) The date of issuance;  
255           (4) A clear statement indicating that the permit is  
256 only valid within the state of Missouri; and  
257           (5) If the permit is a Missouri extended concealed  
258 carry permit, the expiration date.

259 The permit shall be no larger than two and one-eighth inches  
260 wide by three and three-eighths inches long and shall be of  
261 a uniform style prescribed by the department of public  
262 safety. The permit shall also be assigned a concealed carry  
263 permit system county code and shall be stored in sequential  
264 number.

265           10. (1) The sheriff shall keep a record of all  
266 applications for a Missouri lifetime or extended concealed  
267 carry permit or a provisional permit and his or her action  
268 thereon. Any record of an application that is incomplete or  
269 denied for any reason shall be kept for a period not to  
270 exceed one year.

271           (2) The sheriff shall report the issuance of a  
272 Missouri lifetime or extended concealed carry permit or  
273 provisional permit to the concealed carry permit system.  
274 All information on any such permit that is protected  
275 information on any driver's or nondriver's license shall  
276 have the same personal protection for purposes of sections  
277 571.205 to 571.230. An applicant's status as a holder of a  
278 Missouri lifetime or extended concealed carry permit or  
279 provisional permit shall not be public information and shall  
280 be considered personal protected information. Information  
281 retained in the concealed carry permit system under this  
282 subsection shall not be distributed to any federal, state,  
283 or private entities and shall only be made available for a

284 single entry query of an individual in the event the  
285 individual is a subject of interest in an active criminal  
286 investigation or is arrested for a crime. A sheriff may  
287 access the concealed carry permit system for administrative  
288 purposes to issue a permit, verify the accuracy of permit  
289 holder information, change the name or address of a permit  
290 holder, suspend or revoke a permit, cancel an expired  
291 permit, or cancel a permit upon receipt of a certified death  
292 certificate for the permit holder. Any person who violates  
293 the provisions of this subdivision by disclosing protected  
294 information shall be guilty of a class A misdemeanor.

295       11. Information regarding any holder of a Missouri  
296 lifetime or extended concealed carry permit is a closed  
297 record. No bulk download or batch data shall be distributed  
298 to any federal, state, or private entity, except to MoSMART  
299 or a designee thereof.

300       12. For processing an application, the sheriff in each  
301 county shall charge a nonrefundable fee not to exceed:

302           (1) Two hundred dollars for a new Missouri extended  
303 concealed carry permit that is valid for ten years from the  
304 date of issuance or renewal;

305           (2) Two hundred fifty dollars for a new Missouri  
306 extended concealed carry permit that is valid for twenty-  
307 five years from the date of issuance or renewal;

308           (3) Fifty dollars for a renewal of a Missouri extended  
309 concealed carry permit;

310           (4) Five hundred dollars for a Missouri lifetime  
311 concealed carry permit,

312 which shall be paid to the treasury of the county to the  
313 credit of the sheriff's revolving fund.

571.225. 1. Any person who has knowledge that another  
 2 person, who was issued a Missouri lifetime or extended  
 3 concealed carry permit under sections 571.205 to 571.230,  
 4 never was or no longer is eligible for such permit under the  
 5 criteria established in sections 571.205 to 571.230 may file  
 6 a petition with the clerk of the small claims court to  
 7 revoke that person's Missouri lifetime or extended concealed  
 8 carry permit. The petition shall be in a form substantially  
 9 similar to the petition for revocation of a Missouri  
 10 lifetime or extended concealed carry permit provided in this  
 11 section. **[Appeal] Revocation petition** forms shall be  
 12 provided by the clerk of the small claims court free of  
 13 charge to any person:

SMALL CLAIMS COURT

In the Circuit Court of \_\_\_\_\_, Missouri

\_\_\_\_\_, PLAINTIFF

)

)

vs. ) Case Number \_\_\_\_\_

)

)

\_\_\_\_\_, DEFENDANT,

Lifetime or Extended Carry Permit Holder

\_\_\_\_\_, DEFENDANT,

Sheriff of Issuance

PETITION FOR REVOCATION OF A

MISSOURI LIFETIME OR EXTENDED CONCEALED CARRY  
PERMIT

Plaintiff states to the court that the defendant,  
\_\_\_\_\_, has a Missouri lifetime or extended

31 concealed carry permit issued pursuant to sections  
 32 571.205 to 571.230, RSMo, and that the defendant's  
 33 Missouri lifetime or extended concealed carry  
 34 permit should now be revoked because the defendant  
 35 either never was or no longer is eligible for such  
 36 a permit pursuant to the provisions of sections  
 37 571.205 to 571.230, RSMo, specifically plaintiff  
 38 states that defendant, \_\_\_\_\_, never was or no  
 39 longer is eligible for such permit or endorsement  
 40 for one or more of the following reasons:

41 (CHECK BELOW EACH REASON THAT APPLIES TO THIS  
 42 DEFENDANT)

<p>43 44 45 46 47</p>	<p><input type="checkbox"/> Defendant is not at least [nineteen] <b>eighteen</b> years of age [or at least eighteen years of age and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces].</p>
<p>48 49</p>	<p><input type="checkbox"/> Defendant is not a citizen or permanent resident of the United States.</p>
<p>50 51 52</p>	<p><input type="checkbox"/> Defendant had not resided in this state prior to issuance of the permit or is not a current resident of this state.</p>
<p>53 54 55 56 57 58 59 60 61</p>	<p><input type="checkbox"/> Defendant has pled guilty to or been convicted of a crime punishable by imprisonment for a term exceeding two years under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun.</p>
<p>62 63 64 65 66 67 68</p>	<p><input type="checkbox"/> Defendant has been convicted of, pled guilty to or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a Missouri lifetime or extended concealed carry permit issued pursuant to sections 571.205 to 571.230, RSMo,</p>

<p>69 70 71 72 73 74 75 76</p>	<p>or the defendant has been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a concealed carry permit issued pursuant to sections 571.205 to 571.230, RSMo.</p>
<p>77 78 79 80 81 82 83 84 85 86 87</p>	<p><input type="checkbox"/> Defendant is a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun.</p>
<p>88 89 90</p>	<p><input type="checkbox"/> Defendant has been discharged under dishonorable conditions from the United States Armed Forces.</p>
<p>91 92 93</p>	<p><input type="checkbox"/> Defendant is reasonably believed by the sheriff to be a danger to self or others based on previous, documented pattern.</p>
<p>94 95 96 97 98 99 100 101 102 103 104</p>	<p><input type="checkbox"/> Defendant is adjudged mentally incompetent at the time of application or for five years prior to application, or has been committed to a mental health facility, as defined in section 632.005, RSMo, or a similar institution located in another state, except that a person whose release or discharge from a facility in this state pursuant to chapter 632, RSMo, or a similar discharge from a facility in another state, occurred more than five years ago without subsequent recommitment may apply.</p>

<p>105 106 107</p>	<p><input type="checkbox"/> Defendant failed to submit a completed application for a concealed carry permit issued pursuant to sections 571.205 to 571.230, RSMo.</p>
<p>108 109 110 111 112 113 114 115</p>	<p><input type="checkbox"/> Defendant failed to submit to or failed to clear the required background check. (Note: This does not apply if the defendant has submitted to a background check and been issued a provisional permit pursuant to subdivision (2) of subsection 6 of section 571.205, RSMo, and the results of the background check are still pending.)</p>
<p>116 117 118 119 120</p>	<p><input type="checkbox"/> Defendant failed to submit an affidavit attesting that the applicant complies with the concealed carry safety training requirement pursuant to subsections 1 and 2 of section 571.111, RSMo.</p>
<p>121 122 123 124</p>	<p><input type="checkbox"/> Defendant is otherwise disqualified from possessing a firearm pursuant to 18 U.S.C. Section 922(g) or section 571.070, RSMo, because _____ (specify reason):</p>

125 The plaintiff subject to penalty for perjury  
 126 states that the information contained in this  
 127 petition is true and correct to the best of the  
 128 plaintiff's knowledge, is reasonably based upon  
 129 the petitioner's personal knowledge and is not  
 130 primarily intended to harass the  
 131 defendant/respondent named herein.

132 \_\_\_\_\_ , PLAINTIFF

133 2. If at the hearing the plaintiff shows that the  
 134 defendant was not eligible for the Missouri lifetime or  
 135 extended concealed carry permit issued under sections  
 136 571.205 to 571.230 at the time of issuance or renewal or is  
 137 no longer eligible for a Missouri lifetime or extended  
 138 concealed carry permit the court shall issue an appropriate  
 139 order to cause the revocation of the Missouri lifetime or

140 extended concealed carry permit. Costs shall not be  
141 assessed against the sheriff.

142 3. The finder of fact, in any action brought against a  
143 permit holder under subsection 1 of this section, shall make  
144 findings of fact and the court shall make conclusions of law  
145 addressing the issues at dispute. If it is determined that  
146 the plaintiff in such an action acted without justification  
147 or with malice or primarily with an intent to harass the  
148 permit holder or that there was no reasonable basis to bring  
149 the action, the court shall order the plaintiff to pay the  
150 defendant/respondent all reasonable costs incurred in  
151 defending the action including, but not limited to,  
152 attorney's fees, deposition costs, and lost wages. Once the  
153 court determines that the plaintiff is liable to the  
154 defendant/respondent for costs and fees, the extent and type  
155 of fees and costs to be awarded should be liberally  
156 calculated in defendant/respondent's favor. Notwithstanding  
157 any other provision of law, reasonable attorney's fees shall  
158 be presumed to be at least one hundred fifty dollars per  
159 hour.

160 4. Any person aggrieved by any final judgment rendered  
161 by a small claims court in a petition for revocation of a  
162 Missouri lifetime or extended concealed carry permit may  
163 have a right to trial de novo as provided in sections  
164 512.180 to 512.320.

165 5. The office of the county sheriff or any employee or  
166 agent of the county sheriff shall not be liable for damages  
167 in any civil action arising from alleged wrongful or  
168 improper granting, renewing, or failure to revoke a Missouri  
169 lifetime or extended concealed carry permit issued under



170 sections 571.205 to 571.230 so long as the sheriff acted in  
171 good faith.

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